

1 THOMAS M. HERLIHY (SBN 83615)
2 JOHN T. BURNITE (SBN 162223)
3 WILSON, ELSE, MOSKOWITZ, EDELMAN & DICKER LLP
4 525 Market Street, 17th Floor
5 San Francisco, CA 94105-2725
6 Tel.: (415) 433-0990
7 Fax: (415) 434-1370
8 Email: herlihy@wilsonelser.com
9 john.burnite@wilsonelser.com

10 Attorneys for Defendants
11 UNUM GROUP (previously known as
12 UNUMPROVIDENT CORPORATION),
13 THE PAUL REVERE LIFE INSURANCE COMPANY,
14 and NEW YORK LIFE INSURANCE COMPANY

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 LEWIS G. SHEPLER II, M.D.

18 Plaintiff,

19 vs.

20 UNUMPROVIDENT CORPORATION; THE
21 PAUL REVERE LIFE INSURANCE
22 COMPANY and UNUM GROUP, inclusive,

23 Defendant.

Case No.: C08-00240 MEJ

**STIPULATION RE EXTENSION OF
TIME TO RESPOND TO PLAINTIFF'S
COMPLAINT**

1 Pursuant to Northern District Local Rule 6-1(a), the parties, plaintiff Lewis G. Shepler II,
2 M.D. and defendants Unum Group (previously known as UnumProvident Corporation), The Paul
3 Revere Life Insurance Company, and New York Life Insurance Company ("defendants"), hereby
4 stipulate that defendant shall have an extension to respond to the Complaint up to and including
5 May 6, 2010.

6
7 **IT IS SO STIPULATED.**

8 KNOX RICKSEN, LLP

9
10 Dated: February 25, 2010

By _____/s/_____
Thomas E. Fraysse
Attorney for Plaintiff
LEWIS G. SHEPLER II, M.D.

13
14 WILSON, ELSER, MOSKOWITZ, EDELMAN &
15 DICKER LLP

16 Dated: February 25, 2010

By _____/s/_____
Thomas M. Herlihy
John T. Burnite
Attorney for Defendants
UNUM GROUP (Previously known as
UNUMPROVIDENT CORPORATION),
THE PAUL REVERE LIFE INSURANCE
COMPANY and NEW YORK LIFE
INSURANCE COMPANY

22 **ORDER**

23 IT IS SO ORDERED that defendants have up to and including May 6, 2010 to respond to
24 plaintiff's complaint.

25
26 Date: February 26, 2010

27 _____
UNITED STATES MAGISTRATE JUDGE

1 **CERTIFICATE OF SERVICE**

2 I am a citizen of the United States. I am over the age of eighteen years and am not a party
3 to the within cause. I am employed in the City and County of San Francisco, California and my
4 business address is 525 California Street, 17th Floor, San Francisco, California 94105. On this
5 date I served the following document(s):

6 **STIPULATION RE: EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S**
7 **COMPLAINT**

8 on the parties identified below, through their attorneys of record, by placing true copies thereof in
9 sealed envelopes addressed as shown below by the following means of service:

10 ☐ : **By First Class Mail** -- I caused each such envelope, with first class postage thereon fully
11 prepaid, to be deposited in a recognized place of deposit of the U.S. Mail in San Francisco,
12 California, for collection to the office of the addressee following ordinary business practices.

13 ☐ : **By Personal Service** -- I caused each such envelope to be given to a courier messenger who
14 personally delivered each such envelope to the office of the address.

15 ☐ : **By Overnight Courier** -- I caused each such envelope to be given to an overnight mail
16 service at San Francisco, California, to be hand delivered to the office of the addressee on the next
17 business day.

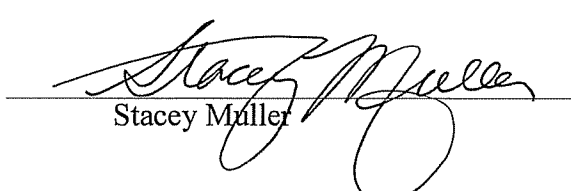
18 ☐ : **Facsimile** -- (Only where permitted. Must consult CCP § 1012.5 and California Rules of
19 Court 2001-2011. Also consult FRCP Rule 5(e). Not currently authorized in NDCA.)

20 ☒ : **Electronic E-Filing** -- I caused the attached document to be electronically transmitted on the
21 Northern District website to the parties named below.

22 Thomas E, Fraysee, Esq.
23 Knox Rickson, LLP
24 1300 Clay Street, Ste. 500
25 Oakland, CA 94612-1427
26 Tel: (510) 285-2500
27 Fax: (510) 285-2505
28 Attorney for Plaintiff

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct to the best of my knowledge.

EXECUTED **February 25, 2010** at San Francisco, California.


Stacey Muller